

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

NICHOLAS DALE JENNINGS,

Defendant.

CR 19-156-BLG-SPW

ORDER

On March 4, 2021, this Court sentenced Defendant Nicholas Dale Jennings to a total term of imprisonment of 51 months and a total term of supervised release of three years for being a prohibited person in possession of a firearm. (Doc. 78). Jennings's supervision commenced on July 27, 2023. (Doc. 85 at 1).

On July 24, 2024, Jennings filed a motion, *pro se*, seeking early termination of his three-year term of supervised release. (Doc. 84). He explains that he successfully completed a term at the halfway house as part of the Bureau of Prisons' pre-release program, is currently employed, has his own residence, and has been compliant with his conditions of supervision. (*Id.* at 1).

The Government did not file a response to the motion.

Jennings's supervising probation officer, Tim Lowrance, communicated to the Court on July 24 that he had no objections to the termination of his supervision. Lowrance confirmed that Jennings had been compliant with the conditions of

supervision, provided negative drug test results, established a permanent residence, and was employed full time. Lowrance also mentioned that Jennings had paid off all his financial obligations with the court and with child support.

The next day, Lowrance communicated to the Court that he had received a call from the sheriff's department in Platte County, Wyoming informing him that a sheriff's deputy had stopped Jennings for driving 97 mph in an 80 mph zone. (*See* Doc. 85 at 2). Jennings also had a misdemeanor amount of marijuana in the car. (*See Id.*). He was cited for both violations. (*See id.*). Lowrance contacted Jennings, who said that he was under the impression his term of supervision was over and that he was on his way to visit his son in Denver, Colorado. (*See id.* at 1). Lowrance informed Jennings that his term of supervision was not over and that he violated several minor technical violations.

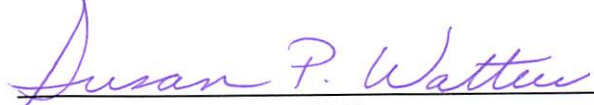
Lowrance filed a Report on Offender Under Supervision outlining the violations on August 1, 2024. (*Id.*). The Report also noted two instances in which Jennings failed to report for substance abuse testing. (*Id.* at 2).

Filing a motion for termination of supervision is not the same as the Court granting that motion and actually ending the supervision. As such, Jennings's term of supervision had not been terminated on July 25 when he traveled to Colorado without permission from the probation office and was cited for two misdemeanors by the Platte County sheriff's deputy. Given the violations, the Court cannot

terminate Jennings's supervision early.

Accordingly, IT IS HEREBY ORDERED that Jennings's motion for early termination of supervised release (Doc. 84) is DENIED.

DATED this 9th day of August, 2024.



SUSAN P. WATTERS
UNITED STATES DISTRICT COURT